

### REMARKS

Upon entry of the present amendment, claims 1-3, 5-7, and 12-21 are pending in the application, of which claims 1 and 18 are independent. Claims 4 and 8-11 are cancelled herein without prejudice and without abandonment of the subject matter thereof. Claims 1-3, 5-7 and 12-21 are amended herein, and no new matter is added by these amendments.

#### 35 U.S.C. § 102 Rejections

Claims 1-3, 18 and 19 were rejected under 35 USC 102(b) as anticipated by Serrell (US 2,334,446). In addition, claims 1-3, 5, 12-14, 18 and 19 were rejected as under 35 USC 102(e) as anticipated by Helpert (US 2005/0099588). In the respective rejections, the Examiner stated that Serrell and Helpert disclose a polarizing transparent viewing element as claimed.

The applicant disagrees that Serrell or Helpert disclose all the features recited in claims 1 and 18 as amended herein. In particular, claims 1 and 18, which have been amended herein to incorporate the limitations previously recited in claims 4 and 8-11, now recite that the optical surface of the viewing element is divided into several zones associated with respective light polarizing filters, and that

- the orientation of the polarizing filter of a first one of the zones is oblique relative to a horizontal direction in the use position of the element with an angle between the orientation of the filter and the horizontal direction different from 90° and from 0°, said first zone being located in a lower portion of the optical surface with respect to the use position of the element;

- a second one of the zones is associated with a polarizing filter oriented horizontally with respect to the use position of the element, the first zone associated with the obliquely oriented polarizing filter being located, in the use position of the element, below the second zone associated with the horizontally oriented polarizing filter; and

- a third one of the zones is associated with a polarizing filter oriented vertically with respect to the use position of the element, said third zone being located in a lateral portion of the element with respect to its use position.

With respect to claims 1 and 18, Serrell fails to disclose first zone having a polarizing filter that is oriented obliquely relative to a horizontal position that is located in a lower portion of the optical surface, or a second zone having a polarizing filter oriented horizontally (ie, blocking horizontal transmission) located above the first zone. Instead, Serrell clearly discloses placement of the obliquely-oriented polarizing filter in an upper portion of the lens (area 10), and another area 16, disposed below area 10, adapted to block transmission of horizontally polarized light (Figs. 1 and 2). [Note that the vertical dashed lines 18 shown in Figs. 1 and 2 of Serrell correspond to polarization regions which block horizontally polarized light. This illustration convention is opposite that used in the applicant's figures, in which a horizontal, double headed arrow is used to indicate zones in which horizontally polarized light is blocked, and a vertical double-headed arrow is used to indicate zones in which vertically polarized light is blocked.] Serrell teaches an arrangement in which the obliquely-oriented polarizing filter is located at a position in which the wearer of eyeglasses having such lenses would need to tilt his head forward in order to view through the obliquely oriented portion (page 1, col. 2, lines 47-54), permitting most viewing through area 16.

Moreover, Serrell fails to disclose or suggest employment of a polarizing filter that is oriented vertically (that is, blocks transmission of vertically polarized light), and further fails to disclose placement of such a filter in a lateral portion of the element. Thus, Serrell fails to anticipate the features recited in claims 1 and 18.

With further respect to claims 1 and 18, Helpern also fails to disclose all the claimed features. In particular, Helpern fails to disclose a third zone associated with a polarizing filter oriented vertically with respect to the use position of the element, the third zone being located in a lateral portion of the element with respect to its use position as recited in claims 1 and 18. Instead, Helpern discloses a bifocal lens arrangement (Fig. 4a), that is, an arrangement having two zones of polarization. Helpern discloses lenses 40 that are configured to have an upper portion 42 having a conventional polarization direction that minimizes glare from an ambient light source. Although Helpern does not expressly state that the disclosed "conventional" polarization direction is one that blocks

transmission of horizontally polarized light, this can be inferred from Fig. (1b), which shows the conventional lens 10 of Fig. 1(a) permitting transmission of vertically polarized light (paras. 21 and 25), and from the second-to-last sentence of paragraph 21. [Note that the vertical lines shown in Fig. 1(a) and in region 42 in Fig. 4(a) of Helpern correspond to “conventional” polarization regions, and thus are understood to mean regions which block horizontally polarized light. This illustration convention is opposite that used in the applicant’s figures, in which a horizontal, double headed arrow is used to indicate zones in which horizontally polarized light is blocked, and a vertical double-headed arrow is used to indicate zones in which vertically polarized light is blocked.]

The lenses 40 of Helpern also include a lower portion 43 having a direction of polarization to maximize receipt of light emitted by an LCD. Helpern identifies an orientation of 45 degrees with respect to a plane of visualization of the light as the preferred angle to maximize receipt of light emitted by an LCD (para. 22). However, Helpern does not disclose or suggest additional polarization zones beyond the two zones of the bifocal arrangement shown in Fig. 4a. Moreover, Helpern does not disclose including an additional polarization zone having a direction of polarization that prevents transmittal of vertically polarized light. Still further, because Helpern does not disclose additional zones beyond the two zones of the bifocal arrangement, Helpern clearly fails to disclose placement of the third zone in a lateral portion of the element. Thus, Helpern fails to anticipate the features recited in claims 1 and 18.

With respect to both the Serrell and Helpern disclosures, the applicant notes that the viewing element configuration implied by the amendments to claims 1 and 18 herein include boundaries between distinct polarizing zones that are oriented parallel to at least two different directions. Such layout of the polarizing zones is not anticipated or made obvious by the cited prior art.

The applicant disagrees with the rejections of claims 2, 3, 5, 12-14 and 19 for the reasons set forth above with respect to claims 1 and 18, from which these claims respectively depend.

As further regards claim 14, the applicant disagrees that either of Serrell and Helpern disclose an element having two third zones associated with respective polarizing filters oriented vertically with respect to the use position of the element, the two third zones being located in opposed lateral portions of the element, as recited in the claim. That is, neither cited reference suggest or discloses, in addition to a oblique and horizontal polarization zone, additional zones having a polarization direction in which vertically polarized light, such as light reflected off a vertical surface, is prevented from passing through the element.

The applicant respectfully disagrees with the Examiner's interpretation of Helpern as having "two additional zones (the zone between the left outer edge of the frame and element 43 and the zone between element 43 and the right outer edge of the frame" (see Office Action, page 4, lines 5-6)), since Helpern clearly identifies only two zones, the upper portion 42, and lower portion 43 (para. 24, Fig. 4a). As seen in Fig. 4a, the "additional" zones identified by the Examiner are actually part of upper zone 42, which appear to extend down around the lateral sides of the lower portion 43.

Moreover, neither cited reference suggests the claimed configuration in which such a third zone is provided in opposed lateral portions of the element. This feature is advantageous since vertically oriented glare is often experienced as a lens wearer passes windows or other vertical reflective surfaces, whereby those reflections are directed toward the lens from a side of the wearer.

### 35 U.S.C. § 103 Rejections

Claims 6, 7, 15-17, and 20-21 were rejected as unpatentable over Helpern. The applicant disagrees with the rejections of claims 6, 7, 15-17, and 20-21 for the reasons set forth above with respect to claims 1 and 18, from which these claims respectively depend.

As further regards claims 15-17, the applicant disagrees that the claimed separation distances in a central portion of the element between the two third zones are made obvious by the disclosure of Helpern, since, as discussed above with respect to

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claim 14, Helpert fails to disclose the configuration in which a third zone is provided in opposed lateral portions of the element.

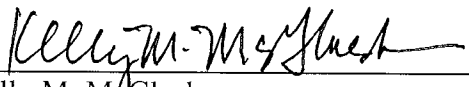
### Conclusion

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

No fees are believed to be due at this time. Please apply any other charges or credits to Deposit Account No. 50-4189, referencing Attorney Docket No. 45201-011US1.

Respectfully submitted,

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